



# No Anonymity: Judge Says University of Wyoming Women Suing Sorority Over Transgender Member Must Use "True Names"

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**Clair McFarland**

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“Plaintiffs have chosen to level accusations of impropriety against Defendants,” said U.S. District Court Judge Alan B. Johnson in his Friday order. “They must now shoulder the burden of those accusations and walk in the public eye.”

The seven women suing the Kappa Kappa Gamma sorority for its September induction of transgender member Artemis Langford asked Johnson twice to allow them to go through the case anonymously under “Jane Doe” pseudonyms: once on March 27 and again on April 7 after Johnson denied the first request.

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Johnson's April 6 denial says the women's generalized safety concerns don't outweigh the public's right to follow the case – including the parties' names. He gave the women until April 20 to reveal their true names if they wish to proceed in the case.

“This Court exists to serve the public,” he said. “If Plaintiffs wish to proceed, they may do so in their true names.”

### More Violent Each Day

The judge repeated that conclusion in his order Friday, which came after the women's April 7 plea for him to reconsider their request in light of heightening violence surrounding transgender issues. Their second request cited a recent attack on women's-rights activist Riley Gaines, a Nashville school shooting by a transgender person and a controversial meme that Wyoming Rep. Karlee Provenza, D-Laramie, posted this month.

These events – all of which occurred in the 10 days between the women's first request for anonymity and Johnson's first denial – still don't demonstrate specific, personal threats of harm against the women, said Johnson.

“Plaintiffs present little to demonstrate that they, themselves are in real, imminent, personal danger,” he said in the order. “The tragic, yet distant, events in Nashville, or a politician's ill-advised innuendos, are irrelevant.”

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request.

Johnson said the case is not so exceptional that the University of Wyoming police department can't handle their protection.

The women also had argued that the case has garnered intense national interest and is unique because it forces the court to contemplate the definition of the word "woman."

Johnson said this argument cuts both for and against their pleas for anonymity, by emphasizing the public's investment in the proceedings.

"I yearn for the day where litigants seek their courts unburdened by the mere possibility of physical reprisal," said Johnson, who reminisced over the days "where motions and orders collected dust in the anachronistic file rooms below this courthouse."



But federal lawsuits are often above-the-fold news, he said.

"Add in salacious claims against one, who, the Plaintiffs concede, stands in the public forum, and the media spotlight burns brighter," he said.

Johnson referred to Langford, who chose to give an October interview to university newspaper the Branding Iron about being the first transgender inductee of Kappa Kappa Gamma's Wyoming chapter.

The women had argued in their second plea for anonymity that Langford has chosen to become a public figure – but they have not.

Despite his reminiscing, Johnson said the increasing volume of news covering federal cases also isn't enough to warrant anonymity.

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In other circuits he's found such instances, such as when the court granted an inmate pseudonymity after he made a strong showing that other inmates would hurt him over his lawsuit disclosing repeated instances of prison sexual abuse.

### **Sensitive And Personal**

The women also failed to show that this case is of a highly sensitive and personal nature, Johnson said, which is another criterion by which plaintiffs have received anonymity in past cases.

Though the case involves the women's personal living space and some private matters, Johnson said in his April 6 order, the claims themselves are of breach of contract and breach of fiduciary duty.

### **'Through His Leggings'**

The women on March 27 sued the Kappa Kappa Gamma sorority, saying it has betrayed its duty to them by inducting a transgender member, after making the women believe they were joining a sisterhood. The suit also alleges that the local housing organization for the sorority breached its contract with the induction of a male.

Langford does not yet live in the sorority house but visits often, and is slated to live there in the coming months, according to court documents.

The women allege that Langford ogles the women, sometimes with "an erection visible through his leggings" and often at awkward or vulnerable moments. They said in their complaint that they are apprehensive about living in the same house with Langford soon, especially since the bathroom doors do not lock.

Langford is six-foot-two, according to the lawsuit complaint, and weighs 260 pounds.

### **Langford Also A Defendant**

The suit also accuses Kappa Kappa Gamma of interfering wrongly with the women's housing contract by pushing for and allowing Langford's induction.

The women added Langford under the pseudonym "Terry Smith" as another defendant in the suit, but said they aren't seeking monetary damages from Langford – though they do seek monetary damages from the sorority, and have asked the court to void Langford's sorority membership.

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st asked Johnson to let Langford proceed under a pseudonym as well.

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‘equivalent to asking us to put jack back in the box,” said Johnson, quoting from earlier case law.

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